

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



# Children's Residential Care Update

## December 2006

### COMMUNITY CARE LICENSING DIVISION CHILDREN'S RESIDENTIAL CARE UPDATE

Seasons Greetings! This is our fourth and final Children's Residential Care Update for 2006. It also marks the thirteenth year of our efforts to keep the residential care community informed about licensing programs and services. The Updates continue to be an important method for sharing information. We appreciate your support in sharing these Updates with those in your organization and others interested in children's issues.

### REGULATION PACKAGES

The following regulation packages for children's residential care facilities are currently in the process of being completed. If you have any questions regarding the proposed regulations, please contact the Community Care Licensing Division (CCLD), Policy Development Bureau at (916) 324-4312. For copies of proposed regulations, contact the Office of Regulation Development (ORD) at (916) 657-2586 or visit the ORD website at [www.dss.cahwnet.gov/ord/default.htm](http://www.dss.cahwnet.gov/ord/default.htm). Please note that depending on the version of software that you are currently using, it might be necessary to press your control key to activate the hyperlinks found throughout this Update.

**Crisis Nursery Regulations:** As required by statute, CCLD has developed emergency regulations implementing Senate Bill (SB) 855, Chapter 664, Statutes of 2004. On October 26, 2006 the emergency regulations were adopted and filed with the Secretary of State. And on November 29, 2006 a public hearing was held during which written testimony was received. The Department is in the process of responding to comments.

SB 855 defines Crisis Nurseries as facilities providing short-term 24-hour non-medical residential care and supervision for children less than six years of age, who are voluntarily placed for up to 30 days by their parents/guardians due to a family crisis or stressful situation. Under SB 855, county child welfare service agencies may also temporarily place children in these facilities for no more than 14 days.

The following are some additional facts about Crisis Nurseries (CN):

- A CN may count fully trained volunteers in their staff-to-child ratio.
- A CN may have a maximum licensed capacity of 14.
- A CN is required to provide a monthly report to CDSS. (The report must indicate the total number of voluntarily placed children, the number of children placed by a child welfare services agency, and the length of stay for each child.)
- A CN may provide day care services for children less than six years of age.

The intent of these regulations is to provide a safe and supportive environment for children, as well as a non-threatening, non-punitive resource for parents experiencing a crisis or stressful situation.

**Foster Youth Personal Rights Regulations:** These proposed regulations implement Assembly Bill (AB) 458, Chapter 331, Statutes of 2003, and Senate Bill (SB) 1639, Chapter 668, Statutes of 2004, by granting children in foster care additional personal rights. AB 458 codifies specific anti-discrimination protections and allows foster children the right to have fair and equal access to all available services, placement, care, treatment and benefits without being subjected to discrimination or harassment. Additionally, SB 1639 allows foster children, who are 16 years of age or older, the right to have access to postsecondary educational, vocational and financial aid information. These proposed regulations amend the Personal Rights section in all of the children's residential licensing categories. After a series of public hearings, the proposed regulations were submitted to the Office of Administrative Law (OAL) on December 8, 2006. We anticipate the regulations will become effective in early 2007.

## **CHILDREN'S RESIDENTIAL REGULATION REVIEW WORKGROUP**

As previously mentioned in our last Update, the Department, in concert with various key stakeholders, is currently reviewing all children's residential regulations to identify outdated or problematic licensing requirements. The goal of the workgroup is to ensure that licensing regulations promote a "normal childhood" experience in a home-like environment, encourage the self-reliance and independence of youth who are leaving foster care, as well as the health, safety, and well-being of children in out-of-home care.

The first meeting was held in May 2006. At this meeting, the workgroup recognized that not all of their concerns are related to outdated or problematic licensing regulations. Some of the issues may be resolved through the adoption of new regulations, while others may require a statutory change. The workgroup will continue to meet on the second Wednesday of every month.

The workgroup adopted the following principles to guide its efforts. Any new or existing regulations must:

- Provide for the health, safety and well-being of children;
- Be clear, concise, user-friendly and easily understood or simple;

- Promote a “normal childhood” experience;
- Prepare foster youth for adulthood.

CCLD has started to review the recommendations from the workgroup and is beginning to revise the foster care licensing regulations. For more information or to offer comments/suggestions, please contact Roxanne Vincent, Policy Analyst at (916) 324-4508 or [roxanne.vincent@dss.ca.gov](mailto:roxanne.vincent@dss.ca.gov).

## **FIRE SAFETY REMINDERS**

All too often, we read about a fire and the devastation to life and property it can cause in just a matter of minutes. With this in mind, the following items should be reviewed as part of your facility safety check:

1. Make sure that all smoke detectors are operating. Batteries should be replaced every six months.
2. Fire extinguishers should be checked for expiration or annual maintenance due dates.
3. Staff should know where extinguishers are located and how to use them.

If you are using a portable or space heater, you must ensure it is operated in a safe manner. It is important to exercise caution when operating any type of portable or space heater. A portable heater must be UL listed or approved. When purchasing a portable heater, select one that has a type of coating that will not get hot to the touch. Here are some guidelines for the safe use of heaters:

- Keep portable heaters at least three feet away from curtains, bed linens, and combustible materials.
- Do not use portable heaters with extension cords (including power strip cords).
- Portable heaters must not be used to dry articles of clothing or other items.
- Place heaters on the floor only and not on top of tables or other furniture.
- Be sure portable heaters are securely positioned so they won't topple over. Some newer models have an automatic shut-off when toppling occurs.
- Ensure the heater does not become so hot it will burn or injure a child.

For further fire safety information, please contact your local fire department or the Office of the State Fire Marshal at (916) 445-8200. Remember, all facilities must be maintained in conformity with the regulations adopted by the State Fire Marshal for the protection of life and property against fire.

## **CHILDREN'S RESIDENTIAL CARE PROGRAM STAFF CHANGES**

The Children's Residential Program Office is pleased to announce the appointment of **Mei Yuk Kung**, to Staff Services Manager. Mei oversees the Out of State Group Home Unit and assists the Children's Residential Program Administrator.

## **CHAPTERED LEGISLATION FOR 2006**

A summary and implementation plan for bills that were passed by the Legislature and approved by the Governor in 2006, and that affect children's residential facilities is available on the CCLD website. Unless otherwise noted in the summary and implementation plan, these bills become effective on January 1, 2007. Licensees are encouraged to review these plans to ensure compliance with the provisions of these bills. If you have any questions, you are encouraged to contact your local licensing regional office.

The implementation plans for children's residential facilities are available at <http://www.cclld.ca.gov/res/pdf/06apx19.pdf>

## **RESIDENTIAL CARE STATISTICS**

All of the statistics for licensed children's residential care facilities are now available online. When you visit the CCLD home page, click on the link on the left side of the page with the title, "[Licensing Overview](#)." After clicking on "Licensing Overview," click on "Basic Statistics about Licensed Facilities." Then click on the first bullet that says, "Number of State Licensed Facilities, by County." Scroll to the end of the document for the statewide totals. Further breakouts by category and location are still available. Please direct your requests to Suzann Paolini, Central Operations Branch, at (916) 327-0992. Directories can also be obtained from your local licensing office. Please see the attached list for the telephone numbers and locations of Children's Residential Care Program offices.

## **SUMMARY**

If you have questions about items included in this Update or suggestions for future topics, please contact Barbara Rooney, Chief of the Technical Assistance and Policy Branch at (916) 657-2346. Also, please visit our website at [www.cclld.ca.gov](http://www.cclld.ca.gov) to obtain copies of Updates, [office locations](#), provider letters, regulations, or to learn more about licensing services.

Sincerely,

## **ORIGINAL SIGNED BY**

JO FREDERICK  
Deputy Director  
Community Care Licensing Division

Enclosure